1948. K File No. O. Molasses/48

Legal DEPARTMENT

A BRANCH

Subject:— P 2 F

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Opinions under the

Bombay Molasses Act, 1947.

File No. O. Molasses/48

Std. Sectt. Slip 24 B e.

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C O N T E N T S.

Legal Department File No. C. Molasses/40.

Sr No.	D.I./O.Dy.	Subject.	pages.
		Opinions under the Bombay Molasses Act, 1947.	
1.	2253/11/12/48.	Sec. 5(2) Question regarding transport of molasses from one place to another within the province of Bombay and to places outside it.	1/2.

Bombay Secretariat.
12/5.
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Office of the R.L.A.

The view taken by the Commissioner in his endorsement at page 11 ante is not correct. Under sub-section (2) of section 5 of the Bombay Molasses Act, 1947, any persons shall be entitled to transport molasses if he has been granted a permit for the transport thereof by any Collector or Abkari officer authorised to grant permits. According to section 2(1) of the Act the expression 'transport' has the meaning assigned to it in the Bombay Abkari Act, 1878. Under the Bombay Abkari Act 'transport' has been defined to mean to move from one place to another place within the Province. A permit for the transport of molasses will, therefore, be necessary under the Act for moving molasses from one place to another within the Province. No permit is necessary for the export of molasses from the Province of Bombay; nor is such permit necessary for the transport of molasses, if such transport is incidental to its export from the Province of Bombay (see sub-section (3) of section 5). The Commissioner's view that the transport of molasses from the Province to places outside the Province is regulated by permits granted by the Collector under sub-section (2) of section 5 of the Act is not, therefore, correct. The above position may be explained to the Railway Authorities and they may be requested to see that no person transports molasses from one place to another within the Province without a permit granted by the Collector, provided such transport is not incidental to its export from the Province of Bombay.

sd/- P.H.L. 31/12.
Remembrancer of Legal Affairs.

U. R. to R.D. R. 12536, dated the 31st December 1948.

Hadlow Hoskin.
17/5. c/5.